

September 22, 2021

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Economic Affairs Interim Committee

# 2021-2022 FINAL WORK PLAN

*For committee review and action on September 22, 2021*

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# 2021-2022 FINAL WORK PLAN

## ECONOMIC AFFAIRS INTERIM COMMITTEE MEMBERSHIP

### LEGISLATIVE MEMBERS

SENATORS	REPRESENTATIVES
Sen. Kenneth Bogner (R – Miles City) – Chair	Rep. Derek Harvey (D – Butte) – Vice Chair
Sen. Carlie Boland (D – Great Falls)	Rep. Alice Buckley (D – Bozeman)
Sen. Jason Ellsworth (R – Hamilton)	Rep. Joshua Kassmier (R – Ft. Benton)
Sen. Shane Morigeau (D – Missoula)	Rep. Brandon Ler (R – Savage)
	Rep. Mark Noland (R – Big Fork)
	Rep. Katie Sullivan (D – Missoula)

### STAFF MEMBERS

STAFF MEMBER	TITLE	PHONE	E-MAIL
Erin Sullivan	Research Analyst	(406) 444-3594	<a href="mailto:Erin.Sullivan@mt.gov">Erin.Sullivan@mt.gov</a>
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### COMMITTEE WEBSITE:

<https://leg.mt.gov/committees/interim/eaic/>

## PURPOSE OF INTERIM WORK PLAN

This work plan details the Economic Affairs Interim Committee's (EAIC or Committee) study and agency oversight duties for the interim, which runs from July 2021 through September 15, 2022. The final work plan reflects the Committee's priorities, as indicated by the amount of time the Committee decides to spend on each of its tasks. Included in this document are:

- Committee decisions made at the organizational meeting for study and oversight activities, FTE allocation, and meeting schedule
- Schedule of planned activities for the interim

## COMMITTEE JURISDICTION

The EAIC is one of several interim committees established in section [5-5-202](#), MCA, and required to meet between legislative sessions. Interim committees are tasked with:

- 1) Reviewing administrative rules within its jurisdiction;
- 2) Conducting interim studies as assigned;
- 3) Monitoring the operation of assigned executive branch agencies;
- 4) Reviewing advisory councils and required reports;
- 5) Reviewing proposed legislation of assigned agencies;
- 6) Reviewing proposed ballot initiatives; and
- 7) Preparing bills and resolutions that committee members believe should be presented to the next Legislature.<sup>1</sup>

EAIC is assigned to monitor the following executive branch agencies.<sup>2</sup>

- 1) Department of Agriculture
- 2) Department of Commerce
- 3) Department of Labor & Industry
- 4) Department of Livestock
- 5) Office of the State Auditor & Insurance Commissioner
- 6) Governor's Office of Economic Development
- 7) Montana State Fund
- 8) Division of Banking & Financial Institutions
- 9) Alcoholic Beverage Control Division
- 10) Cannabis Control Division<sup>3</sup>

### WHAT DOES EAIC DO?

Conducts interim studies

Monitors agencies

Reviews administrative rules

Reviews advisory councils and reports

Determines member issues to examine

Reviews ballot initiatives

Proposes and reviews legislation

<sup>1</sup> [5-5-215](#), MCA

<sup>2</sup> [5-5-223](#), MCA

<sup>3</sup> New monitoring duties per HB 701 (2021)

## INTERIM STUDIES

The 2021 Legislature approved 28 interim study resolutions, and the Legislative Council assigned those study requests to the various interim committees on May 24. EAIC was assigned three interim studies – HJ 48, HJ 49, and SJ 31.

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### HJ 48: STUDY OF FACIAL RECOGNITION TECHNOLOGY

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#### STUDY BACKGROUND

**Sponsor:** Rep. Katie Sullivan

**Poll Rank:** 14 of 28

Emerging technology for facial recognition is becoming more widespread in use, including data collection and sharing. Currently, Montana does not have protective measures in place, or limitation on the use of facial recognition technology. This study will look at the state agencies who currently use the technology, examine the uses of the technology in investigations and criminal actions, and review relevant constitutional and privacy laws.

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#### STUDY TASKS LISTED IN LEGISLATION

[HJ 48](#) asks the EAIC to:

- Examine which agencies use facial recognition technology and for what purpose in the state;
- Study the uses of facial recognition technology in investigations and criminal actions in Montana;
- Study the security of facial recognition data collected by state agencies and how it is shared among local, state, and federal agencies; and
- Evaluate the protective measures and limitations on facial recognition technology implemented by other states.

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### HJ 49: STUDY OF BENEFITS CLIFFS IN PUBLIC ASSISTANCE PROGRAMS

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#### STUDY BACKGROUND

**Sponsor:** Rep. Jane Gillette

**Poll Rank:** 19 of 28

Businesses are having trouble sustaining or increasing their economic growth in hiring and retaining workers. High employee turnover requires businesses to incur ongoing costs to recruit, hire, and train employees. People receiving public assistance can face "benefits cliffs" in which they experience a sudden decrease in benefits when their earnings increase, resulting in a net loss of income or only a small increase in overall income. This study will review eligibility requirements and benefit amounts; review efforts in other states or on a national level to address the impact; and model the net resource variance when wages and benefits change.

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#### STUDY TASKS LISTED IN LEGISLATION

[HJ 49](#) asks the EAIC to:

- Review the eligibility requirements for and benefits provided by each public assistance program, including tax incentive programs, available to residents of Montana;

- Examine the degree to which family annual net resources vary as wages and benefits change, including reviewing any available modeling on the subject, and
- Review efforts undertaken nationally and in other states to address the impact of benefits cliffs on individuals, families, and businesses.

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## SJ 31: STUDY IMPLEMENTATION OF MARIJUANA PROGRAM

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### STUDY BACKGROUND

**Sponsor:** Sen. Ellie Boldman

**Poll Rank:** 20 of 28

Montana is implementing a new recreational marijuana program, based on Initiative 190, the Montana Marijuana Regulation and Taxation Act, which was passed during the 2020 election. A sounding board is needed to collect input from stakeholders and the public in order to effectively monitor and evaluate the implementation of the program and review the impact of the program on local and state governments, addiction, crime, and revenue. Additionally, the United States Congress has several bipartisan bills pending that may be enacted prior to the 2023 legislative session that may result in new marijuana banking laws, rescheduled or legalized marijuana nationwide, or both. This study will collect data on the implementation of the program, monitor changes in federal policy, and review the benefits and drawbacks of the medical marijuana program.

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### STUDY TASKS LISTED IN LEGISLATION

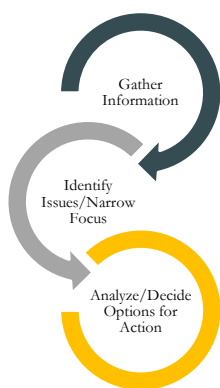
[SJ 31](#) asks the EAIC to:

- Evaluate the state's current marijuana program;
- Evaluate the potential benefits and drawbacks of continuing the medical marijuana system in Montana;
- Review the effects that legalization of recreational marijuana has had on Montana, including but not limited to the effects on state and local government tax collections, and recidivism, addiction, and expungements; and
- Monitor changes in federal policy that could affect recreational marijuana laws in the states.

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### BASIC STUDY PROCESS

An interim study typically involves information gathering, issue identification, and recommendations.



The first phase of the study is carried out over the first few meetings of the interim, when the Committee:

- Reviews staff research papers and other information materials on study topics;
- Hears presentations by people with experience on various aspects of the study topics; and
- Takes public comment from interested parties, who may offer specific study-related suggestions.

In the second phase, the Committee spends a meeting or two narrowing the focus of the study. Members identify topics or questions they'd like to analyze further. This

phase helps members concentrate on the issues they consider to be of the greatest importance and obtain any additional information needed to make final recommendations.

During the final stage, members review and decide on options for action. Potential solutions, including legislation, are usually reviewed and refined at multiple meetings before the Committee takes final action.

## COMMITTEE DECISION: APPROACH TO STUDY ASSIGNMENTS

The amount of time that can be devoted to a study is primarily influenced by the amount of Committee time available and the Committee's level of interest in the study. The Committee considered the four approaches outlined in Appendix A for its study assignments. Those approaches ranged from no action at all to significant Committee involvement.

Committee members chose to have significant involvement in the SJ 31 study of the implementation of the recreational marijuana program, and opted to include within the scope of this study, the monitoring of the implementation of [House Bill 701](#), including agency monitoring and administrative rule review, which encompasses both the medical marijuana program and the recreational marijuana program.

Members chose minimal involvement for the HJ 48 study on facial recognition technology, as well as minimal involvement for the HJ 49 study on benefits cliffs in public assistance programs, with a possibility of combining one or both of these studies with a minor study on the Department of Labor and Industry's unemployment technology and Montana's workforce shortage issue.

## AGENCY OVERSIGHT

State law sets out several agency oversight duties for interim committees. Each responsibility is outlined below.

### ADMINISTRATIVE RULE REVIEW

Interim committees are required to review administrative rule proposals of the agencies for which they have oversight responsibility. The Committee's legal staff reviews monitored agencies' rulemaking notices and provides regular updates, noting any rules that may be out of compliance with the Montana Administrative Procedure Act (MAPA). That law allows interim committees to, among other things:

- Obtain an agency's rulemaking records to review them for compliance;
- Submit written recommendations on adopting, amending, or rejecting a rule;
- Require that a rulemaking hearing be held;
- Require an economic impact statement relating to a rule adoption; and
- Poll the Legislature by mail to determine if a proposed rule is consistent with legislative intent.

Interim committees may also delay the adoption of proposed rules by objecting to proposals that members believe do not comply with the provisions of MAPA. [Senate Bill 82](#), passed in 2021, allows the Speaker of the House and the Senate President to break a tie vote on any rule objection being considered by an interim committee.

### PROGRAM MONITORING

Pursuant to 5-5-215, MCA, the EAIC is to monitor the operation of assigned agencies (see Appendix C for a detailed table), with specific attention paid to:

- Identifying emerging issues likely to require future legislative attention;

- Identifying opportunities to improve existing laws governing the agency's operations; and
- Seeking the input of citizens regarding the operation of agencies.

Monitoring includes reviewing rules, responding to questions about or issues raised regarding any of the monitored entities or their programs and reports, identifying issues from the past legislative session that may lead to future legislation, and providing a preliminary review of the monitored entities' draft legislation.

## NEW MONITORING RESPONSIBILITY IN 2022: ADULT-USE & MEDICAL MARIJUANA

Voters approved [Initiative Measure 190](#) (I-190), allowing for adult use of marijuana, in November 2020. The initiative language assigned oversight of the program to the Revenue Interim Committee (RIC) in [16-12-110](#) and required a report to RIC on inspections in [16-12-210](#).

I-190 did not affect medical marijuana laws, which require the Department of Public Health and Human Services and the Board of Medical Examiners to provide medical marijuana-related reports to both the RIC and the Children, Families, Health, and Human Services Interim Committee (CFHHS) under [50-46-343\(6\)](#), MCA.

The 2021 Legislature enacted [House Bill 701](#) to revise provisions of the adult-use and medical marijuana programs, including moving administration of the medical program to the Department of Revenue. The bill amends 16-12-110 and 16-12-210 to require the EAIC to monitor both marijuana programs beginning January 1, 2022.

HB 701 also replaces 50-46-343 with New Section 22, but still requires reports on registered medical marijuana cardholders and a Board of Medical Examiners report be provided to RIC.

Because HB 701 clearly intended for EAIC to monitor adult-use and medical marijuana, the staff of all the committees recommends that EAIC begin agency monitoring and rule review duties immediately to provide consistency. Staff also recommends that CFHHS, RIC, and EAIC formalize this understanding through votes of each committee. The committees may also consider entering a memorandum of understanding that RIC will follow EAIC's recommendations for the purpose of any potential administrative rule objections for the remainder of 2021.

## LICENSING BOARD ACTIVE SUPERVISION REVIEW (HB 141, 2017 SESSION)

As part of its monitoring duties related to the Department of Labor & Industry, the EAIC monitors determinations as to whether any board actions are considered by the Commissioner to be anticompetitive. The EAIC may initiate further hearings, backstop the Commissioner, or provide an alternative process for those alleging possible antitrust activities by boards or licensees.

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## REVIEW OF DRAFT LEGISLATION

The interim committee process allows for an early review of agency-requested legislation. Interim committees typically authorize the drafting of state agency bills in advance of the November election. This process frees up time for the Legislative Services Division staff to concentrate on legislator bill draft requests after the election. Agency bills drafted as a result of this process must be introduced before the 2023 legislative session begins.

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## REPORTS FROM AGENCIES TO EAIC

The sections below provide information on programs and entities that report to the EAIC on a standing or ad hoc basis, as well as new reporting or monitoring requirements for the EAIC based on passed 2021 legislation. These reports must be submitted in compliance with section [5-11-210](#), MCA, which establishes a Legislative Services Division clearinghouse for these reports.



## NEW IN 2021

In addition to the existing statutorily required reports to the EAIC, several bills were passed in the 2021 session that include reporting to or monitoring by the EAIC:

- [House Bill 139](#): Revises death certificate fees and provides for their use as a funding source for the Board of Funeral Services through a special revenue account. The board shall report to the EAIC on the status of the special revenue account and fees charged as a funding source for the board. Effective July 1, 2021.
- [House Bill 648](#): Creates natural resource-related investigation programs; provides for a study of economic impacts of cost disallowances. The Bureau of Mines shall establish a hydrocarbon and geology investigation program and report findings to the Environmental Quality Council (EQC) and EAIC within one year of starting an investigation. The Department of Commerce shall establish a coal ash markets investigation program and report findings to the EQC and EAIC within one year of starting an investigation. Effective July 1, 2021.
- [House Bill 701](#): Transfers monitoring of medical marijuana from CFHHS to EAIC. Medical marijuana monitoring includes receiving reports on provider, cardholder, and physician statistics and activities, as well as reports on inspection of medical marijuana providers, the seed-to-sale tracking system, and other issues related to the program. New reporting requirements for inspections of licensed premises, as well as reports on the number of cultivators, manufacturers, and dispensaries licensed, the number and type of violations committed by licensees, the number of licenses revoked, and production and sales data.
- [Senate Bill 97](#): HB 141 in the 2017 session required monitoring of the Department of Labor & Industry's determinations as to whether any board actions are considered by the Commissioner of Labor & Industry to be anticompetitive. The Commissioner has the responsibility to determine if any board actions violate antitrust laws. The EAIC may initiate further hearings, backstop the Commissioner, or provide an alternative process for those alleging possible antitrust activities by boards or licensees. HB 141 was set to terminate July 1, 2021. Sb 97 eliminates the termination date for active supervision of licensing board actions that are anticompetitive, so the EAIC will continue this statutory duty.
- [Senate Bill 234](#): Creates the Unemployment Insurance Program Integrity Act. Requires the Department of Labor & Industry to report to the EAIC on the program.
- [Senate Bill 374](#): Allows medical practitioners to dispense drugs to patients; establishes requirements for and limitations on medical practitioner dispensing, including requiring registration; provides rulemaking authority. Requires the Board of Pharmacy to report on registration, enforcement, and other actions to the EAIC by September 30, 2023.

## STATUTORILY REQUIRED REPORTS TO EAIC:

Agency	Report	Statutory Authority
Dept. of Agriculture	<ul style="list-style-type: none"> <li>State Agency and County Weed District Noxious Weed Biennial Report</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">7-22-2151</a></li> </ul>
Dept. of Commerce	<ul style="list-style-type: none"> <li>Distressed Wood Products Industry Loan Account Annual Report</li> <li>Montana Board of Investments Annual Report</li> <li>Montana Heritage Preservation and Development Commission (review of indirect administrative rate)</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">90-1-503</a></li> <li><a href="#">17-5-1650</a></li> <li><a href="#">22-3-1002</a></li> </ul>

<b>Dept. of Labor &amp; Industry</b>	<ul style="list-style-type: none"> <li>• Apprenticeship &amp; Training Annual Report</li> <li>• Report concerning board attendance</li> <li>• Drug registry annual report from Board of Pharmacy</li> <li>• Annual report on unemployment benefits for victims of domestic violence, sexual assault, or stalking</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">39-6-101</a></li> <li>• <a href="#">37-1-107</a></li> <li>• <a href="#">37-7-1514</a></li> <li>• <a href="#">39-51-2111</a></li> </ul>
<b>Dept. of Livestock</b>	<ul style="list-style-type: none"> <li>• Livestock Loss Reduction Annual Report</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">2-15-3113</a></li> </ul>
<b>Montana State Fund</b>	<ul style="list-style-type: none"> <li>• Montana State Fund Annual Report (budget)</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">5-5-223</a>, <a href="#">39-71-2363</a></li> </ul>
<b>State Auditor's Office</b>	<ul style="list-style-type: none"> <li>• Montana Reinsurance Association Annual Report</li> <li>• Montana State Fund RBC Report (if necessary)</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">33-22-1308</a></li> <li>• <a href="#">33-1-115</a>, <a href="#">39-71-2375</a></li> </ul>

## OTHER INTERIM ACTIVITIES

### HB 142 REVIEW

In 2011, the Legislature approved [HB 142](#), requiring interim committees to review the statutorily created advisory councils and required reports related to the agencies they oversee, to see if the councils or reports should be revised or repealed. The law was modified in 2017 in [SB 8](#) to require a review only if requested by any committee member. The advisory councils and reports available for review can be found in Appendix D.

### REVIEW PROPOSED BALLOT INITIATIVES

[House Bill 651](#) amended 5-5-215 to require interim committees to review proposed ballot initiatives within the interim committee's subject area and vote to either support or not support the placement of the text of an initiative on the ballot.

The bill also amends [13-27-202\(5\)](#) to provide for the interim committee hearing and voting process and for notification of the outcome of the vote to the secretary of state:

"(c) The appropriate interim committee of legislative council shall meet and hold a public hearing after receiving the information and vote to either support or not support the placement of the proposed initiative text on the ballot. The outcome of the vote must be submitted to the secretary of state no later than 14 days after receipt of the final text of the proposed issue and ballot statements. Nothing in this section prevents the interim committee from meeting remotely or via conference call. Proxies must be allowed for legislators unable to participate if a quorum of the committee or council meets to fulfill the requirements of this section.

(d) The executive director shall provide written correspondence to the secretary of state providing the name of the interim committee or the administrative committee that voted on the proposal, the date of the vote, and the outcome of the vote conducted in accordance with subsection (5)(c)."

This requirement may result in additional committee meetings because the committee vote must be provided no later than 14 days after receipts of the final text of the ballot initiative.

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## MEMBER TOPICS & EMERGING ISSUES

Interim committees may take up other matters related to the agencies and topic areas they oversee. Depending on whether members put greater or less emphasis on their statutory duties related to interim studies and agency monitoring, they have more time to focus on EAIC-relevant member issues.

Members may propose investigation of emerging issues at any time during the interim. Agencies may also request that the Committee study an emerging issue that has resulted from court decisions, federal actions, or another cause.

Emerging issues are not necessarily member issues and may be raised by an agency or by staff. However, to be on the agenda, the presiding officer or other EAIC member must request agenda time. Staff resources are limited, so additions to a work plan must be accompanied by deletions to retain scheduling balance.

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## OTHER POTENTIAL ACTIVITIES

**Coordination with Interim Budget Subcommittees (IBC):** [House Bill 497](#) created several interim budget subcommittees of the Legislative Finance Committee. The interim budget committee for Section A invited the EAIC to meet jointly for one or more meetings during the interim.

## COMMITTEE DECISIONS: STATUTORY AND OTHER INTERIM ACTIVITIES

The Committee plans to generally have a minimum level of involvement in most of its agency oversight duties, except for agency monitoring and administrative rule review for marijuana, which is allocated under the SJ 31 study. Members made the following decisions specific to monitoring and other interim activities:

- **Administrative Rule Review:** The Committee will have a minimum level of involvement, with members hearing information only on issues that legal staff considers to be out of compliance with statutes or legislative intent.
- **Agency Monitoring:** The Committee will have moderate involvement, with each agency providing a brief overview of activities at one or more meeting during the interim. Any agency with further statutory reporting requirements will be required to give an oral report to the Committee.
- **New Monitoring Responsibility in 2022: Adult-Use & Medical Marijuana:** The Committee voted to assume monitoring responsibilities immediately for both the adult-use and medical marijuana programs.
- **Licensing Board Active Supervision Review:** The Committee will have a minimum level of involvement, and will hear information only on issues the Commissioner of the Department of Labor & Industry considers to be anticompetitive, and will then decide if letters need to be written and will take public comment on the issue.
- **Agency Legislation:** The Committee decided to have minimal involvement, which will consist of an overview of concepts of each item of legislation at the final meeting of the interim.
- **HB 142 Review:** Committee staff will provide an overview of an advisory council and commission only upon the request of a committee member.
- **Member Issues:** The Committee identified several topics to be addressed through hearings, agency monitoring, or combined with assigned studies:
  - Department of Labor & Industry unemployment technology solution
  - Department of Livestock Cooperative Interstate Shipment (CIS) program
  - Alcoholic Beverage Control Division – brewery license transfer process
  - Status of implementation of lottery game for Board of Horseracing

- **Interim Committee Coordination:** The Committee will hold its June 2022 meeting during the same week as the interim budget committee meetings, with the intent of holding a joint session with the Section A – IBC.

## COMMITTEE DECISION: MEETING SCHEDULE

The Committee's budget of \$40,436 will cover approximately 10 meeting days. The Committee agreed to the following schedule. The final meeting date for the interim is to be determined.

Date of Meeting	
Wednesday	September 22, 2021
Wednesday	November 17, 2021
Wednesday – Thursday	February 9-10, 2022
Wednesday – Thursday	April 20-21, 2022
Tuesday - Wednesday	June 14-15, 2022
TBD	August/September, 2022

## COMMITTEE DECISION: ALLOCATION OF FTE

The Committee decided to prioritize its work by allocating its FTE as follows:

Discretionary Activities	FTE Allocation	Statutory Duties	FTE Allocation
Facial Recognition Technology – HJ48	0.10	Administrative Rule Review	0.05
Benefits Cliff/DLI Workforce/Unemployment – HJ49	0.10	Agency Monitoring	0.10
Marijuana Program Implementation – SJ31/HB701	0.50	Required Reports	0.01
		Agency Legislation	0.01
		Advisory Councils	0.005
		DLI Active Supervision	0.05
<b>Subtotal</b>	<b>0.70</b>		<b>0.225</b>
<b>Total</b>			<b>0.925</b>

## APPENDIX A: COMMITTEE DECISIONS ON STUDY AND OVERSIGHT ACTIVITIES

The table below reflects the decisions that Committee members made at their July 2021 organizational meeting regarding their level of involvement in their various duties. The table also shows the scope of activities that are anticipated at each level of committee involvement.

LEVEL OF COMMITTEE INVOLVEMENT			
Activity	<b>Minimal Involvement:</b> HJ48, Rule Review, Active Supervision Review, Required Reports, HB 142 Review, Member Issues	<b>Moderate Involvement:</b> HJ49, Agency Monitoring	<b>Significant Involvement:</b> SJ31/HB701
<b>Assigned Studies</b>	<ul style="list-style-type: none"> <li>Panel discussion on one or two study topics as identified by the committee</li> </ul>	<ul style="list-style-type: none"> <li>Review staff-provided background materials on three or four study topics as identified by the committee</li> <li>Panel discussions or individual speakers on the selected topics</li> </ul>	<ul style="list-style-type: none"> <li>Review staff-provided background materials on all topics identified in the study resolution</li> <li>Review additional staff materials developed at the Committee's request</li> <li>Panel discussions or individual speakers on all topics in the study resolution</li> <li>Additional items as identified by the Committee – includes agency monitoring and rule review for CCD</li> </ul>
<b>Administrative Rule Review</b>	<ul style="list-style-type: none"> <li>Hear information only on issues that legal staff considers to be out of compliance with statutes or legislative intent</li> </ul>		
<b>Agency Monitoring</b>		<ul style="list-style-type: none"> <li>Each agency provides a brief overview of activities</li> <li>Any agency with further statutory reporting requirements gives an oral report</li> </ul>	

<b>Activity</b>	<b>Minimal Involvement</b>	<b>Moderate Involvement</b>	<b>Significant Involvement</b>
<b>Active Supervision Review (DLI)</b>	<ul style="list-style-type: none"> <li>• Hear information only on issues the Commissioner of DLI considers to be anticompetitive</li> <li>• Decide if letters need to be written</li> <li>• Public comment</li> </ul>		
<b>Agency Legislation</b>	<ul style="list-style-type: none"> <li>• Overview of concepts on each item of legislation at final meeting</li> </ul>		
<b>Required Reports</b>	<ul style="list-style-type: none"> <li>• Receive copy of written reports in meeting packets</li> <li>• Committee members may request follow up from agency</li> </ul>		
<b>HB 142 Review</b>	<ul style="list-style-type: none"> <li>• Written staff overview of advisory council and commission, only upon request of committee member</li> </ul>		
<b>Member Issues and/or Monitoring Important Activities</b>	<ul style="list-style-type: none"> <li>• Address member issues or topics as time allows, with staff providing copies of relevant outside reports to EAIC</li> <li>• No staff briefing or white papers</li> <li>• 1 or 2 presentations (hearings), if any</li> </ul>		

## APPENDIX B: SCHEDULE OF PLANNED ACTIVITIES

The following timeline provides an outline of how the EAIC will accomplish the items in its work plan. The timeline may be updated or revised to address scheduling, emerging issues, or to reallocate staff time to other topics.

DATE	ACTIVITIES	TASKS/POLICY DECISIONS
July 2021	Organizational	<ul style="list-style-type: none"> <li>◇ Elect officers</li> <li>◇ Review, adopt work plan</li> <li>◇ Review, adopt calendar</li> </ul>
	Assigned Studies	<b>HJ 48 – Facial recognition technology</b> <b>HJ 49 – Benefits cliffs</b> <b>SJ 31 – Marijuana program implementation</b> <ul style="list-style-type: none"> <li>◇ Introduction of resolutions</li> <li>◇ Engage stakeholders</li> <li>◇ Prioritize studies</li> </ul>
	Agency Oversight	<ul style="list-style-type: none"> <li>◇ Overviews from: <ul style="list-style-type: none"> <li>◆ Department of Agriculture</li> <li>◆ Department of Livestock</li> <li>◆ Cannabis Control Division</li> </ul> </li> </ul>
	Other Issues	<ul style="list-style-type: none"> <li>◇ Discuss member topics &amp; assign preliminary priorities</li> </ul>
September 2021	Organizational	<ul style="list-style-type: none"> <li>◇ Adopt final work plan</li> <li>◇ Review and adopt timeline &amp; calendar</li> </ul>
	Assigned Studies	<b>HJ 48 – Facial recognition technology</b> <b>HJ 49 – Benefits cliffs</b> <b>SJ 31 – Marijuana program implementation</b> <ul style="list-style-type: none"> <li>◇ Topic introduction; review of options</li> <li>◇ Public comment</li> <li>◇ Determine scope of study</li> </ul>
	Agency Oversight	<ul style="list-style-type: none"> <li>◇ Overviews from: <ul style="list-style-type: none"> <li>◆ Alcoholic Beverage Control Division <ul style="list-style-type: none"> <li>▪ Discussion on brewery license transfer process</li> </ul> </li> <li>◆ State Auditor's Office <ul style="list-style-type: none"> <li>▪ Report on MT Reinsurance Association</li> </ul> </li> <li>◆ Montana State Fund <ul style="list-style-type: none"> <li>▪ Report from MSF on 2021 budget</li> </ul> </li> </ul> </li> <li>◇ Cannabis Control Division</li> <li>◇ Administrative Rule Review</li> </ul>
	Other Issues	
November 2021	Assigned Studies	<b>HJ 48 – Facial recognition technology</b> <b>HJ 49 – Benefits cliffs</b> <ul style="list-style-type: none"> <li>◇ Presentation from DLI on unemployment: status of unemployment technology, use of facial recognition technology for unemployment fraud, statistics on unemployment, ARPA return to work bonuses, other workforce incentives.</li> <li>◇ Public comment</li> </ul>

		<b>SJ 31 – Marijuana program implementation</b> <ul style="list-style-type: none"> <li>◇ Presentation on HB 701</li> <li>◇ Presentation from Court Administrator's Office on expungement process (tentative)</li> <li>◇ Public comment</li> </ul>
	◇ Agency Oversight	<ul style="list-style-type: none"> <li>◇ Overviews from: <ul style="list-style-type: none"> <li>◆ Division of Banking &amp; Financial Institutions</li> <li>◆ Department of Commerce</li> <li>◆ Department of Labor &amp; Industry</li> </ul> </li> <li>◇ Cannabis Control Division</li> <li>◇ Administrative Rule Review</li> </ul>
	Other Issues	◇ Presentation from State Lottery HB 704 & sports betting (tentative)
February 2022	Assigned Studies	<b>HJ 48 – Facial recognition technology</b> <ul style="list-style-type: none"> <li>◇ Presentation and/or panel discussion from other agencies who use facial recognition technology (DOJ/MVD, DOC), possibly private businesses or other stakeholders</li> <li>◇ Public comment</li> </ul> <b>HJ 49 – Benefits cliffs</b> <ul style="list-style-type: none"> <li>◇ Presentations from DPHHS and DLI, or panel discussion with other stakeholders</li> <li>◇ Public comment</li> </ul> <b>SJ 31 – Marijuana program implementation</b> <ul style="list-style-type: none"> <li>◇ Panel discussion on medical marijuana program (benefits &amp; drawbacks); public comment</li> <li>◇ Possible panel discussion or presentation on implementation of adult-use program; public comment regarding implementation process so far, expungement process</li> </ul>
	Agency Oversight	<ul style="list-style-type: none"> <li>◇ Cannabis Control Division (tentative)</li> <li>◇ Governor's Office of Economic Development (tentative)</li> <li>◇ Administrative Rule Review</li> </ul>
	Other Issues	<ul style="list-style-type: none"> <li>◇ Department of Livestock Update on CIS program</li> <li>◇ Board of Horseracing update on HB 704</li> </ul>
April 2022	Assigned Studies	<b>HJ 48 – Facial recognition technology</b> <ul style="list-style-type: none"> <li>◇ Briefing paper summarizing presentation/panel</li> <li>◇ Committee discussion</li> <li>◇ Public comment</li> <li>◇ Propose legislation</li> </ul> <b>HJ 49 – Benefits cliffs</b> <ul style="list-style-type: none"> <li>◇ Possible follow-up panel discussion or presentation; or</li> <li>◇ Briefing paper summarizing presentation/panel</li> <li>◇ Public comment</li> <li>◇ Committee discussion</li> <li>◇ Propose legislation</li> </ul>



		<b>SJ 31 – Marijuana program implementation</b> <ul style="list-style-type: none"> <li>◇ Briefing papers on federal policy changes, local policy updates, expungement process update; summary of panel discussion on medical marijuana program</li> <li>◇ Committee discussion</li> <li>◇ Public comment</li> <li>◇ Begin to propose legislation</li> </ul>
	Agency Oversight	<ul style="list-style-type: none"> <li>◇ Overviews from: <ul style="list-style-type: none"> <li>◆ <i>Montana State Fund (2022 budget; tentative)</i></li> <li>◆ <i>Cannabis Control Division (tentative)</i></li> </ul> </li> <li>◇ Administrative Rule Review</li> </ul>
	Other Issues	
<b>June 2022</b>	Assigned Studies	<b>HJ 48 – Facial recognition technology</b> <b>HJ49 – Benefits cliffs</b> <b>SJ31 – Marijuana program implementation</b> <ul style="list-style-type: none"> <li>◇ Proposed legislation refinement</li> <li>◇ Draft of final report(s)</li> </ul>
	Agency Oversight	<ul style="list-style-type: none"> <li>◇ <i>Cannabis Control Division (tentative)</i></li> <li>◇ Administrative Rule Review</li> <li>◇ <i>Agency legislation proposals (if time allows)</i></li> </ul>
	Other Issues	◇ Joint work session with IBC-Section A
<b>September 2022</b>	Assigned Studies	<b>HJ 48 – Facial recognition technology</b> <b>HJ49 – Benefits cliffs</b> <b>SJ31 – Marijuana program implementation</b> <ul style="list-style-type: none"> <li>◇ Review &amp; approve any draft legislation</li> <li>◇ Adopt final report</li> </ul>
	Agency Oversight	<ul style="list-style-type: none"> <li>◇ Administrative Rule Review</li> <li>◇ Agency statutory reports</li> <li>◇ Agency legislation proposals</li> </ul>
	Other Issues	<ul style="list-style-type: none"> <li>◇ Finalize committee reports on member topics, if necessary</li> <li>◇ Select bill sponsors</li> </ul>

## APPENDIX C: AGENCIES OR ENTITIES ASSIGNED TO THE EAIC

Assigned Entity	Areas of Interest	
<b>Department of Administration</b> <ul style="list-style-type: none"> <li>Banking &amp; Financial Institutions Division</li> </ul>	Statutory Duties	
<b>Department of Agriculture</b> <ul style="list-style-type: none"> <li>Agricultural Development Division</li> <li>Agricultural Sciences Division</li> <li>Central Services</li> <li>State Grain Laboratory</li> </ul>	Agricultural Development Council	Alfalfa Seed Committee
	Hail Board	Hemp Advisory Committee
	Noxious Weed Management Advisory Council	Noxious Weed Seed Free Forage Advisory Council
	Organic Commodity Advisory Committee	Potato Advisory Committee
	Pulse Crop Committee	Wheat & Barley Committee
<b>Department of Commerce</b> <ul style="list-style-type: none"> <li>Director's Office</li> <li>Community Development Division</li> <li>Housing Division</li> <li>Office of Tourism and Business Development</li> </ul>	Board of Horse Racing	Board of Housing
	Board of Investments	Coal Board
	Hard Rock Mining Impact Board	Montana Facility Financing Authority
	Montana Heritage Commission	Small Business Development Advisory Council
	State Tribal Economic Development Commission	Tourism Advisory Council
<b>Department of Labor and Industry</b> <ul style="list-style-type: none"> <li>Business Standards Division</li> <li>Centralized Services Division</li> <li>Employment Relations Division</li> <li>Unemployment Insurance Division</li> <li>Workforce Services Division</li> <li>Workers' Compensation Court</li> </ul>	Professional and Occupational Licensing Boards (37)	
	Apprenticeship / Training	Board of Personnel Appeals
	Building Codes Bureau	Foreign Labor Certification
	Incumbent Worker Training	Labor-Management Advisory Council
	Montana Human Rights Commission	Montana State Employers Council
	Occupational Safety / Health	Unemployment Insurance Appeals Board
	Weights and Measures Bureau	Workforce Innovation Board
<b>Department of Livestock</b> <ul style="list-style-type: none"> <li>Animal Health and Food Safety</li> <li>Brands Enforcement</li> <li>Central Services</li> </ul>	Board of Milk Control	Livestock Loss Board
	Meat and Poultry Inspection	Milk and Egg Bureau
	Veterinarian Diagnostic Laboratory and Milk Laboratory	
<b>Department of Revenue</b> <ul style="list-style-type: none"> <li>Alcoholic Beverage Control Division</li> <li>Cannabis Control Division (new in 2022)</li> </ul>	Statutory Duties	
<b>Governor's Office of Economic Development</b>	Statutory Duties	
<b>Montana State Fund</b>	Statutory Duties, including budget review required by SB 379 (2015)	
<b>State Auditor's Office</b> <ul style="list-style-type: none"> <li>Insurance Division</li> <li>Securities Division</li> </ul>	Statutory Duties	

## APPENDIX D: ADVISORY COUNCILS

Advisory councils eligible for EAIC review, upon the request of a committee member:

Agency	Entity	Statutory Authority
Dept. of Agriculture	• Noxious Weed Management Advisory Council	• <a href="#">80-7-805</a>
	• Noxious Weed Seed Free Forage Advisory Council	• <a href="#">80-7-904</a>
	• Organic Commodity Advisory Council	• <a href="#">80-11-601</a>
Dept. of Commerce	• Tourism Advisory Council	• <a href="#">2-15-1816</a>
Dept. of Labor & Industry	• Licensing Boards – Monitor for potential sunseting or combining	• <a href="#">2-8-404</a>
	• Licensing Boards – Monitor active supervision done by DLI for anticompetitive or antitrust violations	• <a href="#">37-1-122</a>
State Auditor's Office	• Advisory Council on Continuing Education for Insurance Licensees	• <a href="#">33-17-1204</a>

The following boards, committees, or other entities may contain an advisory function, but either are not specifically termed advisory councils or created statutorily. A Committee member may request to review one or more of the following:

Agency	Entity	Statutory Authority
Dept. of Agriculture	• Board of Hail Insurance	• <a href="#">2-15-3003</a>
	• Agricultural Development Council	• <a href="#">2-15-3015</a>
	• Alfalfa Seed Committee	• <a href="#">2-15-3004</a>
	• Potato Advisory Committee	• <a href="#">80-11-510</a>
	• Pulse Crop Committee	• <a href="#">2-15-3007</a>
	• Wheat and Barley Committee	• <a href="#">2-15-3002</a>
Dept. of Commerce	• Board of Horseracing	• <a href="#">2-15-1809</a>
	• Board of Housing	• <a href="#">2-15-1814</a>
	• Coal Board	• <a href="#">2-15-1821</a>
	• Federal land projects – assistance to local governments	• <a href="#">90-1-182</a>
	• Hard-rock Mining Impact Board	• <a href="#">2-15-1822</a>
	• Montana Council on Developmental Disabilities	• <a href="#">2-15-1869</a>
	• Montana Facility Finance Authority	• <a href="#">2-15-1815</a>
	• Small Business Development Center Advisory Council	
	• State Tribal Economic Development Commission	• <a href="#">90-1-131</a>
Dept. of Labor & Industry	• Board of Personnel Appeals	• <a href="#">2-15-1705</a>
	• Montana State Workforce Innovation Board	• <a href="#">53-2-1203</a>
	• Unemployment Insurance Appeals Board	• <a href="#">2-15-1704</a>